

U.S. Department of Justice
United States Marshals Service

PROCESS RECEIPT AND RETURN

See Instructions for "Service of Process by U.S. Marshal"

AR

PLAINTIFF	United Concrete Products, Inc.	COURT CASE NUMBER 03MC235 (WJM)
DEFENDANT	Ten Hoeve Brothers Corp.	TYPE OF PROCESS WRIT

SERVE
AT

NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN

BROCON PETROLEUM

ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code)

333 Maple Street, Perth Amboy, New Jersey 08861

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW

Bourne, Noll & Kenyon, P.C.
Attn: Richard T. Kaltenbach, Esq.
382 Springfield Avenue
Summit, New Jersey 07901

Number of process to be
served with this Form 285

1

Number of parties to be
served in this case

1

Check for service
on U.S.A.

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include aliases and Alternate Addresses, All Telephone Numbers, and Estimated Times Available for Service):

Fold

Fold

Signature of Attorney or other Originator requesting service on behalf of:	<input checked="" type="checkbox"/> PLAINTIFF <input type="checkbox"/> DEFENDANT	TELEPHONE NUMBER	DATE
<i>[Signature]</i>		908-277-2200	8/28/03

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY-- DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated. (Sign only for USM 285 if more than one USM 285 is submitted)	Total Process 1	District of Origin No. 50	District to Serve No. 50	Signature of Authorized USMS Deputy or Clerk <i>[Signature]</i>	Date 8/28/03
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I hereby certify and return that I ☐ have personally served, ☐ have legal evidence of service, ☒ have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above on the on the individual, company, corporation, etc. shown at the address inserted below.

☐ I hereby certify and return that I am unable to locate the individual, company, corporation, etc. named above (See remarks below)

Name and title of individual served (if not shown above)	<i>[Signature]</i>	<input type="checkbox"/> A person of suitable age and discretion then residing in defendant's usual place of abode
Address (complete only different than shown above)	<i>[Signature]</i>	Date 8/28/03
		Time 3:08
		<input checked="" type="checkbox"/> am <input type="checkbox"/> pm
		Signature of U.S. Marshal or Deputy <i>[Signature]</i>

Service Fee	Total Mileage Charges (including endeavors)	Forwarding Fee	Total Charges	Advance Deposits	Amount owed to U.S. Marshal* or (Amount of Refund*)
90.00	12.96		102.96		

REMARKS:

PRIOR EDITIONS
MAY BE USED

PRINT COPIES:

1. CLERK OF THE COURT
2. USMS RECORD
3. NOTICE OF SERVICE

4. BILLING STATEMENT*: To be returned to the U.S. Marshal with payment, if any amount is owed. Please remit promptly payable to U.S. Marshal.

5. ACKNOWLEDGMENT OF RECEIPT

FORM USM-285
Rev. 12/15/80
Automated 01/00

AUG 28 2003 12:32

PAGE.02

RECEIVED USMS
NEWARK, N.J.
CIVILRECEIVED
WILLIAM T. WALSH
UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

2003 AUG 14 P 1:09

03 AUG 28 PM 12:02

MISC. NO. 03MC235(WJM)

WRIT OF EXECUTION FOR
REGISTERED JUDGMENTSUNITED STATES
DISTRICT COURT

TO THE MARSHAL OF THE UNITED STATES DISTRICT COURT, DISTRICT OF NEW JERSEY:

WHEREAS, judgment was entered on the 4th day of June, 2003 in an action in the United States District Court, Connecticut between United Concrete Products, Inc., plaintiff(s) and Ten Hoeve Brothers Corp., defendant(s) in favor of said plaintiff and against said defendant for the sum of \$92,104.98 as appears by the judgment filed in the Office of the Clerk of the United States District Court, District of New Jersey; and

WHEREAS, the said judgment was duly entered in the Office of the Clerk of the United States District Court, District of New Jersey, and the sum of \$92,104.98 is now actually due thereon;

THEREFORE, you are hereby commanded to satisfy the said judgment out of the personal property of the said judgment debtor, as set forth in the attached affidavit, and if sufficient personal property cannot be found, then out of the real property belonging to such judgment debtor at the time said judgment was entered in the Office of the Clerk of this Court, or at any time thereafter, in whosoever hands the same may be, as set forth in the attached affidavit and that you do pay the moneys realized by you from such property directly to said plaintiff or to their attorney in the said action, and return this execution and your proceedings thereon within one (1) year after date of its issuance to the Clerk of the United States District Court, District of New Jersey.

WE FURTHER COMMAND YOU, that in case of a sale, you make return of this writ with your proceedings thereon before said Clerk and pay to the Clerk of this Court any surplus in your hands within thirty (30) days after said sale.

WITNESS, the Honorable William J. Martini, a Judge of the United States District Court, District of New Jersey this 22nd day of August, 2003

William T. Walsh, Clerk
United States District Court

by [Signature]
Deputy Clerk

Prepared By:
Bourne, Noll & Kenyon
By: Richard T. Kaltenbach, Esq.
An Attorney at Law

Address: 382 Springfield Avenue
Summit, New Jersey 07901

LEVY:
Damages.....\$92,104.98
Costs.....\$
Interest thereon from
6/5/03-7/25/03.....\$

Besides Marshal's Execution Fees

MISC. NO. 03MC235(WJM)
Alias Writ of Execution for Registered Judgments

COUNTY OF UNION:
STATE OF NEW JERSEY:

AFFIDAVIT

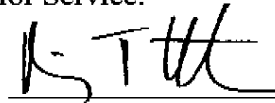
Richard T. Kaltenbach, Esq., being duly sworn, says:

1. I am the attorney for judgment creditor in the matter of United Concrete Products, Inc. vs. Ten Hoeve Brothers Corp. **Misc. Action No. 03MC235(WJM)**, and in that capacity and in conformance with N.J.S. 2A:17-1, et. seq., as made applicable to this case by Rule 69(a), Fed. R. Civ. P., I have caused to be conducted an examination of the assets of judgment debtor Ten Hoeve Brothers Corp.

2. I have determined the following non-exempt personal property of the judgment debtor is subject to execution in satisfaction of the judgment therein:

PROPERTY DESCRIPTION	PROPERTY LOCATION
<u>Monies due and payable from Brocon</u>	<u>333 Maple Street</u>
<u>Petroleum to Ten Hoeve Brothers Corp.</u>	<u>Perth Amboy, NJ 08861</u>

3. The original Writ of Execution was sent to the District Court of New Jersey, Newark Office, where it was entered and delivered to the U.S. Marshall's Service. The U.S. Marshall Service returned the Writ to the Clerk because it did not contain the proper seal that the Marshall's Office requires in order to properly serve same. It has now come to my attention that the Writ cannot be located. Therefore, I have prepared this Alias Writ for Service.



(Signature)

Subscribed and Sworn before me this
13th day of August, 2003

Notary of Colleen Adamson
COLLEEN ADAMSON
My Commission Expires February 3, 2005
~~My Commission Expires February 3, 2005~~

RETURNABLE ON OR BEFORE

8/22/04

Recording in the Clerk's Office of the United States District Court for the District of New Jersey in
Book AO of Executions, Page 19.

William T. Walsh, Clerk

by: 
Deputy Clerk